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Docket No. 62812-A/JPW/GJG/GS
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Mitchell Shirvan and Meir Bialer

Serial No.: 09/932,370

Examiner: M. Bahar

Filed : August 17, 2001

Group Art Unit: 1617

For : USE OF DERIVATIVES OF VALPROIC ACID AMIDES AND 2-VALPROENIC ACID AMIDES FOR THE TREATMENT OR PREVENTION OF PAIN AND/OR HEADACHE DISORDERS

1185 Avenue of the Americas
New York, New York 10036
September 27, 2002

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

RESPONSE TO AUGUST 27, 2002 ELECTION REQUIREMENT

This Communication is submitted in response to the August 27, 2002 Election Requirement issued by the U.S. Patent and Trademark Office in connection with the above-identified application. A response to the August 27, 2002 Election Requirement is due September 27, 2002, so this Communication is being timely filed.

Remarks

Claims 1-96 are pending in this application.

In the August 27, 2002 Election Requirement, the Examiner has required election of a single species within claim 1. Specifically, the Examiner has required an election of one compound of formula I or one compound of formula II (as shown in claim 1).

The Examiner alleged that claims 1-96 are generic to a plurality of disclosed patentably distinct species comprising different